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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Konstantinos Vadevoulis, Jim)
Vadevoulis and Paul Vadevoulis,)
Plaintiffs,)
vs.) No.: 08 C 1251
Deutesche Bank AG; Deutsche Bank)
Securities, Inc. d/b/a Deutsche Bank)
Alex. Brown, and American Express Tax)
and Business Services, Inc. n/k/a RSM)
McGladrey LLC,)
Defendants.)

**RSM McGLADREY, INC.'S f/k/a AMERICAN EXPRESS TAX AND BUSINESS
SERVICES, INC.'S MOTION TO DISMISS AMENDED COMPLAINT PURSUANT TO
FED.R.CIV.P. 12(b)(6) OR, ALTERNATIVELY, TO COMPEL ARBITRATION AND
FOR A STAY**

Defendant RSM McGLADREY, INC. f/k/a AMERICAN EXPRESS TAX AND BUSINESS SERVICES, INC., by Thomas F. Falkenberg, one of its attorneys, pursuant to Federal Rule of Civil Procedure 12(b)(6), respectfully moves this Court to dismiss the Amended Complaint, or, alternatively, to compel arbitration and, pursuant to Section 3 of the Federal Arbitration Act (9 U.S.C. §3), stay this action pending arbitration of Plaintiffs' claims, stating:

In support of its motion, Defendant RSM McGLADREY, INC. f/k/a AMERICAN EXPRESS TAX AND BUSINESS SERVICES, INC relies upon the memorandum in support of the motion, attached hereto.

WHEREFORE, Defendant RSM McGLADREY, INC. f/k/a AMERICAN EXPRESS TAX AND BUSINESS SERVICES, INC respectfully requests that the Court dismiss the Amended Complaint with prejudice, or, in the alternative, compel Plaintiffs to arbitrate their claims and stay this action pending arbitration of such claims, and grant Defendant RSM McGLADREY, INC. f/k/a AMERICAN EXPRESS TAX AND BUSINESS SERVICES, INC such other and further relief as may be appropriate.

Respectfully submitted,

/s/ Thomas F. Falkenberg
One of the attorneys for Defendant RSM
McGLADREY, INC. f/k/a AMERICAN EXPRESS
TAX AND BUSINESS SERVICES, INC

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